IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.3248 OF 2006
IN
FIRST APPEAL NO.978 of 2002.

Office Notes, Office Memorandam of Coram, appearances, Court's orders or directions and Registrar's Orders.	Courts or Judge's orders

Ms. Geeta Mulekar AGP for State

CORAM : A.S.OKA, J.
DATED : 20th December, 2007.

P.C:

1. Heard learned AGP for the applicant. Office note shows that affidavit of service has been filed. None appears for the proposed legal representative of the first respondent.

2. In view of the averments made in the application, a case is made out for condonation of delay and setting aside the abatement. Application is accordingly allowed in terms of prayer clauses (b) to (d).

3. Amendment to be caried out within four weeks.

4. Issue fresh notice in Civil Application No.5084 of 2001 returnable on 24.3.3008, in addition to service through Court,. Applicant to serve private notice and file affidavit before the returnable date.

(Judge)